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REVIEWS AND CRITICISMS.

DIE PSYCHOLOGIE DES VERBRECHENS; EINE KRITIK. Von Dr. Med. u. phil. *Max Kauffman*. Julius Springer, Berlin, 1912. Pp. 344, M. 10.

In his *Vorwort*, the author of this volume expresses the belief that erroneous conceptions concerning crime and its causes are traceable in a large measure to the fact that it has not been made clear where and by what means we should study crime. He therefore proposes to discuss, in this book, the methods of investigation in this field and to point out the numerous sources of error which beset the student of crime. But before he launches out upon this program he devotes thirty-seven pages of the text to a brief discussion of a number of concepts which are frequently employed in the course of the work. Among these are the following: Will, motive, heredity, degeneracy, moral insanity, inborn egoism of the child, etc.

Following this are sixty pages devoted to the discussion and criticism of various sources of information. The prison physician and the psychiatrist; the intelligence test and laboratory experiment; the physiognomy and the lies of criminals; statistics and its sources of error; all these are among the topics that are brought forward in this portion of the text. No one source alone is adequate to afford a knowledge of the individual criminal. The psychiatrist and the prison physician are especially liable to the errors of analogy. Mental tests and laboratory experiments are inadequate for the purpose for which they are intended, because many criminals are the victims of weak wills and love of ease, and these are qualities that scientific tests do not themselves reveal. Furthermore, in the reviewer's opinion, the author makes a strong point when he urges that laboratory experiments, intelligence tests and other mental tests applied to delinquents behind the bars are likely to be misleading because there the criminal is not at his best; he is constrained, depressed and uncertain. To compensate for these and other shortcomings of the sources under discussion, the investigator is driven by necessity to mingling with delinquents in freedom and to observing them in such a situation throughout a considerable period of time. Dr. Kauffman has consistently pursued this method. In the volume under review he now and then refers to his stenographic notes, that were made when he was thus conducting his work, and quotes from them, *e. g.*, p. 92, where he quotes a stereotyped phrase from the conversation of criminals which recurred many hundreds of times in his notes. This phrase was to the effect that the delinquent had not thought about the nature and possible outcome of his criminal acts; that is was "all his own fault," etc.

In the second division of the text the author discusses criminal types in the space of 112 pages. One who has learned to know criminals in all situations, he believes, can, without doing violence to the facts, classify them according to two principles as the vagrant and the

energetic type. In connection with his description of the first type he discusses the psychology of work; the mental, physical and social characteristics of the vagrant and the prostitute; the alcoholic criminal; the criminal by opportunity and the kleptomaniac. Throughout this section the author makes use of the results of statistical and laboratory investigations. He believes that we are not justified on the basis of intelligence tests in drawing the conclusion that the manner of life of the prostitute can be traced either to inborn mental weakness or to acquired weakness of intelligence. (*Intelligenzschwache*, p. 129.)

The second type of criminal includes the robber, the thief, the impostor, the gentleman swindler and the juvenile criminal. That such delinquents on the whole are inferior in intelligence to the groups in which they belong, Dr. Kauffman believes, is wholly untenable.

There is more or less transition from one type to another. It not infrequently happens that at the fortieth or fiftieth year of age the vagrant becomes energetic or vice versa.

Finally, in this part, the author discusses a certain atypical group, among whom are murderers. He believes that murder is usually incidental to the commission of other crimes, excepting in those cases in which the act is done by the insane.

In the third portion of the text Dr. Kauffman treats the causes of crime. There are individual causes such as the social impulse, improvidence, weakness of will, juvenile mentality, neurasthenia, alcoholism. On the other hand, there are social causes. The effects of education and culture even punishment may be a cause of crime (p. 250) in as much as, if it is improperly chosen and administered, its psychological effect may be, not to awaken ideals of good conduct, nor to renew allegiance to ideals, but to embitter the spirit of the one who endures the punishment.

In the last section, fifty pages are devoted to the discussion of the prevention of crime, including the psychology of punishment.

In the final section the author discusses the penal law in the course of 75 pages, the prevention of crime, and the reform of the administration of punishment. He has little faith in the indeterminate sentence, for how can any one determine that a convict who is under the rigid restraint of a prison, where he is not permitted even moderate freedom of self-expression, either is or is not fit to enjoy the freedom of normal life? At this point Dr. Kauffman does not appear to realize what seems to many of us to be the fact that the difficulty in this instance can be obviated by administrative means. Give a prisoner the limited freedom of the outdoor prison farm and the still greater freedom of the honor squad if possible. In such situations it should be possible to determine exactly whether he has become fit for normal social life or not.

Northwestern University.

ROBERT H. GAULT.